

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

IN RE: ACTOS (PIOGLITAZONE)

MDL NO. 6:11-md-02299

This document applies to:

JUDGE DOHERTY

Civil Action No. 6:12-cv-00744

MAGISTRATE JUDGE HANNA

REPORT AND RECOMMENDATION

Henry House (the plaintiff in Civil Action No. 6:12-cv-00744) is currently unrepresented. He was ordered to appear in court on August 23, 2016 in connection with his counsel's motion to withdraw, but he did not appear. His counsel appeared and advised that she had spoken with Mr. House, (who does not nor has he ever had bladder cancer) and he told her that he would not appear as ordered on August 23. Having found that the record contains evidence that Mr. House was served with notice of the August 23 and evidence that his counsel unsuccessfully attempted on several occasions to establish contact with Mr. House and explain the status of his lawsuit, the motion to withdraw was granted and Mr. House was ordered to appear in court on September 27, 2016. (Rec. Doc. 255). An attempt was made to serve Mr. House with notice of the hearing. (Rec. Doc. 256). Although the record does not contain evidence establishing that Mr. House actually received the court's most recent correspondence, the record shows that the correspondence was sent by certified mail, return receipt requested, to the same address at which Mr. House was reached on

prior occasions. Mr. House has not advised the court that his address has changed.

Mr. House failed to appear as ordered on September 27. Accordingly,

IT IS RECOMMENDED that the claims asserted by Mr. House be dismissed without prejudice due to his failures to comply with the court's orders.

Signed at Lafayette, Louisiana, on this 27th day of September 2016.

A handwritten signature in black ink, appearing to read 'P. J. Hanna', is written over a horizontal line.

PATRICK J. HANNA
UNITED STATES MAGISTRATE JUDGE